

From: Jim Martin
To: Microsoft ATR
Date: 1/23/02 2:21pm
Subject: Microsoft Settlement

I have given this a lot of thought and I feel that your proposed settlement does NOT go far enough to protect citizens from monopoly abuse by Microsoft.

It is common saying among Independent Software Vendors that developing for the Microsoft market is like 'picking up dimes in front of a steamroller' - you can make some money for a while, but if you try to pick up too many coins, Microsoft will flatten you.

I am VP of product development of a software product company that is a current Microsoft Partner (so please keep my identity confidential if possible), I was once a Microsoft Certified Solutions Developer, and I am fairly seasoned in the software dev business having written and sold commercial business software applications for over 18 years for Mainframe, DOS, Mac and all flavors of Windows - 3x, 9x NT, 2000. XP. I sat in a meeting in Redmond in 1998 where Bill Gates stated he believed it was his goal for Microsoft to someday own virtually the entire software marketplace in the US, vertically and horizontally. At that point every other software vendor would be just a custom integrator of Microsoft licensed components. (I signed a Non-disclosure before the meeting but I assume that talking to the DOJ concerning possible crimes is a protected exception).

I don't think you will be able to successfully monitor and enforce on-going compliance by Microsoft, nor do I favor splitting off the Operating Systems group into a separate company.

I propose that you break up Microsoft into multiple fully competing 'Babysoft' companies who start out with all current Microsoft products. Consumers would instantly have something they don't have now - choice (as well as compatibility with their existing apps). Each 'Babysoft' would then need to work hard to innovate and compete with the other 'Babysofts' on price and features in order to prosper.

Thanks for your time.

Jim Martin
President, Inquisite.